

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/513,660	DYLAG ET AL.	
	Examiner AJIT G. PATEL	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 5/2/2006.
2.  The allowed claim(s) is/are 35,36,38-43 renumbered 1-8 respectively.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Ajit Patel*  
**Primary Examiner**

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

Art Unit: 2616

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Edmund Pflrger on 5/10/2006.

2. The application has been amended as follows:

In claim 35, line 9, "or" has been changed to --and--.

In claim 38, line 7, "or" has been changed to --and--;

line 9, "or" has been changed to --and--;

line 10, "or" has been changed to --and--.

In claim 41, line 1, "machine-accessible" has been changed to --computer

readable--;

line 2, "machine" has been changed to --computer--;

line 7, "pass or" has been changed to --press and--,

after "commands", "over asynchronous Internet protocol (IP)

link" has been inserted;

line 9, "an" has been changed to --the--.

In claim 42, line 2, "machine" has been changed to --computer--.

In claim 43, line 2, "machine" has been changed to --computer--.

means for receiving information from the secondary station on an uplink channel, wherein means are provided for determining a property relating to the Doppler spread of the downlink channel and for determining a value for a transmission parameter relating to a transmission of a data packet from the series of data packets, the selected parameter value depending at least partly on the determined property.

Regarding claim 4 Tran et al disclose a primary station characterised in that means are provided for determining the property relating to the Doppler spread from a characteristic derived from the uplink channel.

5. A primary station as claimed in claim 4, characterised in that the characteristic derived from the uplink channel is the rate of change of received signal to interference ratio averaged over a predetermined period.

6. A primary station as claimed in claim 3, characterised in that means are provided for determining the property relating to the Doppler spread from power control commands transmitted to the secondary station.

7. A primary station as claimed in claim 6, characterised in that means are provided for determining the property relating to the Doppler spread from one of: the sequence of power control commands issued by the primary station over a predetermined period; the average change in uplink power requested by the primary station over a predetermined

Art Unit: 2616

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AJIT G. PATEL whose telephone number is 571-272-3140. The examiner can normally be reached on MONDAY-SATURDAY.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AP

*AP*  
Ajit Patel  
Primary Examiner